



REOPENING YOUR PRACTICE

Recommendations from the Indiana State Bar Association

Because each person and business will be impacted differently, the following guidelines are general recommendations, not standards, designed to promote a safer workplace not only for attorneys and employees, but also for the clients we serve. We recognize not all firms, agencies or attorneys are in a position, financially, structurally or otherwise, to implement all recommended guidelines. Rather, this document is an effort to provide a toolkit that can be used as much or as little as is practicable, to develop an individualized plan that is responsible, yet reasonable.

PREPARED BY THE ISBA COVID-19 RECOVERY TASK FORCE

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SIX READINESS ESSENTIALS

This document was released May 1, 2020. With the ever-changing landscape surrounding the COVID-19 situation, please continue to monitor required changes in protocols. All parties, including owners, building managers, and tenants, should ascertain individual responsibilities and capabilities, and then work toward collectively improving the physical environment for the benefit of all. All relevant stakeholders should collaborate to address these six essential items:



1

PREPARE THE BUILDING/WORKPLACE

This is especially important if the building has been closed. Consider cleaning plans, pre-return inspections, HVAC & Mechanical checks. Financial practicality should be kept in mind when evaluating these steps.



2

PREPARE YOUR WORKFORCE

Develop plans to mitigate anxiety. This could include policies for deciding when each employee returns and establishing an employee communications plan.



3

CONTROL ACCESS POINTS

Consider protocols for safety and health checks, building reception areas, shipping and receiving, elevators, visitor policies.



4

CREATE A SOCIAL DISTANCING PLAN

Consider options to keep workers at a safe distance. Currently, the recommended distance is 6 feet. Some options include new seating arrangements and established office traffic patterns.



5

REDUCE TOUCH POINTS AND INCREASE CLEANING

Consider keeping doors open, develop protocols for cleaning work areas and common areas.



6

COMMUNICATE FOR CONFIDENCE

Recognize the fear in returning to work, communicate transparently, listen and survey regularly.

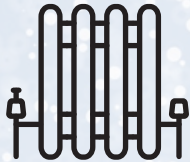
PREPARE THE WORKPLACE

Involve all relevant stakeholders to address the areas below.
This should include owners, building managers, tenants and other key employees.



1 FOCUS ON EMPLOYEE SAFETY

Your Number One priority in all decisions should be the safety of your employees and visitors.



2 ASSESS MECHANICAL COMPONENTS

This includes HVAC, fire/life safety systems, entry systems, etc. This is especially important if the building has been closed. Consider not using air conditioning and furnace to limit air flow. Open windows, if possible, to flush areas with clean air.



3 INVENTORY CLEANING AND OTHER SUPPLIES

Ensure you are stocked with appropriate cleaning chemicals, supplies and other items needed to maintain a disinfected working environment. With the limited availability of some supplies, be sure to order well in advance and secure your inventory for use only within the office.



4 UPDATE AND MAINTAIN CLEANING PROTOCOLS

Ensure any procedures you adopt are in line with the World Health Organization, Centers for Disease Control and Prevention, and the Occupational Safety and Health Administration.



5 FOCUS ON COMMON AREAS

This includes lobbies, elevators, break rooms, cafeterias, etc. Businesses should limit the number of people in these areas, and develop specific cleaning protocols – including frequency.



6 CONSIDER BUILDING/WORKPLACE UPGRADES

Some ideas include: Voice-activated controls (to control lights, for example), touchless fixtures (such as faucets, paper towel and soap dispensers), placing hand sanitizer stations on each side of doors (restroom, primary office entry, etc.).

PREPARE THE WORKFORCE

While workplace design, policies and safety protocols are critical, they do not touch on perhaps the most important aspect of return to work: the readiness of the workforce physically, emotionally and psychologically. Developing a plan to mitigate employee fears and concerns should be a top priority.



1 DECIDE WHO RETURNS TO THE OFFICE

The ISBA recommends conducting as much work as possible from a virtual setting. Therefore, only bring back those who are absolutely necessary. Be flexible to worker needs such as childcare, etc.



2 STAGGER SCHEDULES, AVOID SHARING

When feasible, stagger workforce schedules to minimize people in your workplace. In addition, consider staggered, scheduled lunch-break timing. Where possible, eliminate shared office supplies and technology (such as telephones, postage machines, etc.).



3 IF POSSIBLE, PROVIDE MASKS AND OTHER PPE

If masks can't be provided, encourage employees to secure and wear their own. In addition, provide hand sanitizer and cleaners if possible. Educate employees that hand washing with soap is preferable to hand sanitizer.



4 COMMUNICATE WHAT EMPLOYEES SHOULD EXPECT

Educate all staff on any new policies and procedures. Clearly communicate all expectations.



5 IMPLEMENT HEALTH PROCEDURES

Employees feeling ill should remain home and consult their physician. If remote work is not possible, then appropriate policies should be implemented regarding sick days or personal days. Businesses are encouraged to explore medical leave options and/or FMLA (Family and Medical Leave Act).

Other considerations include: Checking temperatures upon arrival (guidelines currently being developed by CDC and WHO); To the extent possible, we recommend virus testing or antibody testing as soon as it is available; Employees should keep track of everyone they come into contact with in the workplace, because it may be necessary to notify other employees, guests or clients if a COVID-19 contagion becomes known.

CONTROL ACCESS POINTS

Consider protocols to control the entrance and exit of your workspace. They should include ongoing safety and precautionary measures.



1 DEVELOP GUEST AND VISITOR POLICIES

Consider limiting access to certain types of visitors such as clients, vendors or contractors. Limit visitors to one office area, restricting their access to the larger workplace. Ideally, visitors should be attending preplanned meetings. When scheduling a meeting, provide attendees with an advance list of office protocols they will be expected to follow.



2 MANAGE PUBLIC ACCESS TO THE WORKSITE

Consider limiting the number of entrances and exits, or have separate entrances and exits for employees and the public. Consider keeping doors closed to eliminate walk-in traffic. When possible, designate an entrance and exit to create one-way traffic flow.



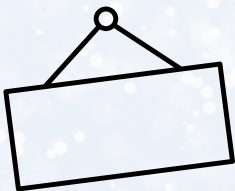
3 INSTALL/UTILIZE PROTECTIVE SHIELDS AND BARRIERS

Install protective barriers in reception areas, if possible, to protect employees from visitors/clients. Consider clear acrylic, plexiglass or plastic sheeting as options.



4 IMPLEMENT VISITOR HEALTH PROCEDURES

Consider temperature checks at the door. Ask if visitors are showing any symptoms of being ill before allowing them into the building. Have hand sanitizer stations inside the entrance and near the exit, and encourage visitors to use them.



5 SIGNAGE

Install signage at multiple, relevant locations in the entry sequence, explaining building access rules and other protocols that impact how occupants use and move throughout the building. Suggested language to visitors: "You must wear a mask or face covering while inside this office. Persons without such a mask or face covering will not be permitted to enter. Additionally, visitors are required to use provided hand sanitizer."

CREATE A SOCIAL DISTANCING PLAN

Space planning solutions can be used to reduce transmission of contagious diseases. Solutions may differ depending on how many people are expected to return to work. **Note: Public safety codes, building codes, applicable laws and security requirements must not be compromised.**



1 CONTINUE VIRTUAL WORK AS MUCH AS POSSIBLE

All meetings and interviews should continue to be conducted either telephonically or by video whenever practicable, including mediation and depositions. Law offices should consider implementing procedures by which employees/partners may elect to work from home without having to disclose any personal health information or health information of close relatives/household members.



2 MINIMIZE SEATING CAPACITY & PROXIMITY

If possible, eliminate “face-to-face” seating where exposure could occur. Remove or block seating in common areas and conference rooms to enforce social distancing of six feet. Where possible, eliminate cloth fabric seating and use easily cleaned vinyl or leather hard surfaces.



3 MANAGE TRAFFIC FLOW

Create and enforce one-way traffic pattern. Clockwise, for example. Use tape or stickers on floor if necessary. This eliminates passing in tight quarters.



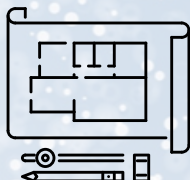
4 DECREASE DENSITY

Minimize people in your workplace by capping groups. Encourage work from home and virtual/telephonic meetings when possible. Pay special attention to common areas such as lobbies, break rooms and restrooms. Limit use to one person at a time if possible.



5 ADDRESS INDIVIDUAL WORKSPACES

If working in an office, keep door closed as much as possible. Install stickers or tape on the floor to mark safe distance for coworkers and guests. Minimize (or eliminate) meetings in small areas.



6 RETHINK YOUR LAYOUT

Repurpose large spaces (such as conference rooms) to eliminate shared workspaces and create distance between tight workspaces.

REDUCE TOUCH POINTS AND INCREASE CLEANING

Transmission often occurs from common touch points. Creating safe solutions to minimize touch-point contamination will be paramount to providing a safe workplace.



1 MINIMIZE OR ELIMINATE SHARING

Minimize or eliminate use of communal supplies and technology such as conference-room AV equipment, copiers, postage machines, etc. Consider assigning an employee to manage each device. Tip: Use plastic wrap to cover communal technology and other common surfaces, allowing for safe cleaning. Replace frequently. Ensure employees have space to store personal items.



2 MINIMIZE THE NEED TO TOUCH

Leave lights on if possible. Install motion-activated doors, lights and fixtures if feasible. Remove non-essential doors or door handles if possible. Provide wall-mounted disinfectant dispensers where possible.



3 CLEAN, AND CLEAN AGAIN

Wipe down surfaces regularly with approved disinfectant. Ask employees to do the same with their personal equipment. Place hand sanitizer stations at each entrance and exit, as well as in common areas. Sanitize any equipment that employees may be bringing back into the office.



4 REMEMBER THESE COMMON TOUCHPOINTS

Door handles, light switches, toilet levers, faucets, refrigerator handles, water coolers, coffee machines, ice machines, drawers, cabinets, remote controls, chairs (especially the top and arms), and collaboration tools such as conference phones, whiteboard markers and erasers. If you cannot eliminate use, ensure they are cleaned regularly.



5 DELIVERIES

Designate one location for any deliveries to the building/space and disinfect items centrally. Assign delivery management and sterilization as a task to specific employees only. Encourage employees to bring their own lunch. Food deliveries bring more traffic and added risk.

COMMUNICATE FOR CONFIDENCE

By implementing a robust communications plan with sincere and honest information, employers can address some of the most important aspects of returning to work:

The readiness of the workforce physically, emotionally, and psychologically.



1 ONE VOICE

The key to any plan is to ensure leadership is aligned on the re-entry process. If possible, designate one person or a small group to communicate information. Management should adhere to policies and guidelines in order to lead by example.



2 TWO-WAY COMMUNICATION

Establish and actively engage in two-way communication to understand employee fears. Work together to find solutions. This will help create a trusting and transparent culture.



3 COMMUNICATE THE MOST CRITICAL

Set clear expectations and provide details of any changes. Other topics to communicate: Why groups and/or individual employees were chosen to return to work; How the organization and/or the building owner is following safety guidelines; Reiterate your guidelines; The measures undertaken in both the building and workspace to ensure health.



4 TEST, MEASURE, VALIDATE

Frequently evaluate the steps taken and share any successes with employees.



5 VARY YOUR TOOLS

Consider using a wide range of communication channels and materials — email, text messages, video, virtual live events, posters/digital displays, etc.

CONSIDERATIONS FOR WHEN TO RETURN

The recommendations above are designed to help employers after a decision to return to a physical office has been made. Although safety is the primary factor, productivity should also be considered in deciding **when** to return to a physical office. The ISBA recommends working virtually for as long as possible if productivity can be maintained. Here are five keys to measuring productivity:



1 ABILITY TO FOCUS

Does working virtually hamper the ability to focus? Or is it easier because there are fewer "pop-in" meetings?



2 ABILITY TO COLLABORATE

Does your workforce have the ability to collaborate virtually? If so, is it sufficient? Or, would being in the same space (while social distancing) improve collaboration efforts?



3 ABILITY TO RENEW

Stress and fear can take a toll on physical and mental well-being. Does the virtual environment make it easier for employees to recharge their personal batteries throughout the day? Or can they do this sufficiently with protective guidelines in place at the office?



4 ABILITY TO BOND

If you have a virtual platform, does it allow your employees to bond? This goes beyond collaboration. Are you able to develop a sense of team with your virtual setting?



5 ABILITY TO CONTINUE LEARNING

Can your employees learn more by being in an office setting? Or is there a greater chance of this occurring while working virtually?

For more information, please contact Indiana State Bar Association Executive Director Joe Skeel at jskeel@inbar.org. Special thanks to our partners at Cushman & Wakefield for providing information we adapted with their permission for this guide.